

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

IN RE:	§	CHAPTER 7
	§	
DONNA SHUTE PROVENCHER	§	CASE NO. 19-50339-CAG
Debtor	§	

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**MOTION TO CONTINUE HEARING**

Donna Shute Provencher, Debtor, asks the Court to continue the hearing on the Motion of Joseph Mazzara to Lift the Automatic Stay to Allow Lawsuit to Proceed and would show:

1. Joseph Mazzara filed his motion to lift the automatic stay to allow lawsuit to proceed (Doc#10) on May 24, 2019. The same day the Court set the motion for hearing for June 24, 2019 at 9:00 a.m.

2. Debtor filed her response on May 29, 2019 (Doc#11).

3. Debtor's counsel cannot attend the hearing that morning because he has a sentencing hearing the same morning before Judge Elizabeth Chestney in Case SA-180-mj-01443, styled U.S. v. Cory Holman. He needs time to confer with his client and the prosecutor before the hearing.

4. Further, Debtor's counsel is leaving for an overseas vacation with his family on May 30, 2019 (tomorrow) and will not return to the office until June 10, 2019 and has a full week of court appearances including a state court jury trial and a suppression

hearing in an organized crime case before United States Judge Xavier Rodriguez.

5. Counsel needs time to investigate the facts and to research the law to respond to Mr. Mazarra's motion.

6. Mr. Mazarra will not be prejudiced by the delay.

7. Counsel has attempted to confer with William Kingman but was not able to do so before filing this motion (which had to be filed before he left on vacation).

### **Conclusion & Prayer**

WHEREFORE, Debtor respectfully asks the Court to continue the hearing set for June 17, 2019 on the Motion of Joseph Mazzara to Lift the Automatic Stay.

Respectfully submitted,

/s/ Richard L. Ellison

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ATTORNEY FOR DEBTOR/DEFENDANT

DONNA SHUTE PROVENCHER

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### **CERTIFICATE OF SERVICE**

I certify that on May 29, 2019 the above and foregoing instrument was filed with the Clerk of the Bankruptcy Court via the ECF electronic filing system, and the Clerk will electronically deliver a copy to:

U.S. Trustee – SA12

Chapter 7 Trustee J. Patrick Lowe  
[pat.lowe.law@gmail.com](mailto:pat.lowe.law@gmail.com)

William B. Kingman  
[bkingman@kingmanlaw.com](mailto:bkingman@kingmanlaw.com)

/s/ Richard L. Ellison

CERTIFICATE OF CONFERENCE

I certify that I attempted to confer with William Kingman about this motion before I filed it. I called his office and spoke to his receptionist/secretary and asked for a call back, and I emailed him and asked his position. As of filing this motion he has not responded.

/s/ Richard L. Ellison